
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 15-7009
 :
 v. : Hon. Cathy L. Waldor
 :
 MICHAEL HODUKAVICH : **CRIMINAL COMPLAINT**

I, Stephen J. Jamison, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this Complaint is based on the following facts:

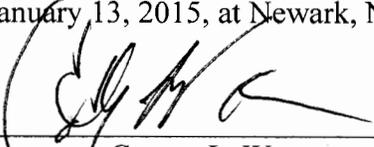
SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Stephen J. Jamison, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
on January 13, 2015, at Newark, New Jersey



HONORABLE CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

COUNT ONE

On or about November 20, 2014 through on or about November 21, 2014, in Morris County, in the District of New Jersey, and elsewhere, defendant

MICHAEL HODUKAVICH

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1) and Title 18, United States Code, Section 2.

ATTACHMENT B

I, Stephen J. Jamison, am a Special Agent with the Federal Bureau of Investigation (“FBI”). I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a Complaint, I have not included each and every fact known to the Government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background

1. At all times relevant to this Complaint, defendant MICHAEL HODUKAVICH (hereinafter, “HODUKAVICH”) was a resident of Madison, New Jersey.

The Investigation

2. On or about November 20, 2014, an FBI Special Agent working in an undercover capacity accessed a publicly available peer-to-peer (“P2P”) network over the Internet and observed an individual using a username and a certain Internet Protocol (“IP”) address that was logged into the network. The investigation revealed that the username belonged to an individual, later identified as defendant HODUKAVICH, and that the IP address resolved to HODUKAVICH’s residence in Madison, New Jersey (the “Residence”).

3. The undercover agent browsed defendant HODUKAVICH’s shared directories and observed numerous images and video files with titles indicative of child pornography. Between 10:32 p.m. EST and 11:02 p.m. EST, the undercover agent downloaded from defendant HODUKAVICH’s shared folder approximately 5 videos, all of which depicted child pornography. One of the files downloaded by the undercover agent from defendant HODUKAVICH is described as follows:

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VIDEO	FILENAME	DESCRIPTION
1	(ovpa)PTHC 2014 - 2 Little Girls Suck Mans Dick So (GOOD) [OMG - MORE!! Please!]	This video is approximately 4:03 in length and depicts two prepubescent females with an adult male. The video begins with the adult male lying on his back on what appears to be a bed. The video is being filmed from where the adult male's head is focusing down his body which is covered by a blanket. A prepubescent female reaches over from the right side of the video and pulls the blanket down, exposing his penis. She then begins to rub his penis with her right hand. A second prepubescent female then enters the video from the left side and begins to rub the adult male's penis with her left hand. The two prepubescent females then take turns rubbing the adult male's penis and performing fellatio on the adult male. At approximately 2:58 into the video, the prepubescent female on the right climbs onto the bed and takes her underwear off. She then straddles the adult male and places his penis into her vagina and appears to have sexual intercourse with the adult male for the remainder of the video.

4. On or about November 21, 2014, an FBI Special Agent working in an undercover capacity accessed the P2P network referenced in paragraph 2 and observed an individual using the same username referenced in paragraph 2, later identified as defendant HODUKAVICH.

5. The undercover agent browsed defendant HODUKAVICH's shared directories and observed numerous images and video files with titles indicative of child pornography. Between 12:05 a.m. EST and 12:47 a.m. EST, the undercover agent downloaded from defendant HODUKAVICH's folders approximately 40 child pornography images and 18 child pornography videos. Three of the images downloaded from defendant HODUKAVICH are described as follows:

IMAGE	FILENAME	DESCRIPTION
1	7yondad02.jpg	This is a color image of an adult male and a prepubescent boy. Both the male and the boy are naked and either lying or standing with a light blue colored background. The image is taken from the male's knees facing up his body. The boy is directly in front of the male with his back against the male's stomach. The male's penis is penetrating the boy's anus.
2	!!!Mal19160(1).jpg	This is a color image of a boy and an adult male. The boy is naked and bent over with his buttocks in the air on what appears to be a bed with green-colored sheets. His head is faced toward the left and also resting on the bed. A naked adult male appears to be standing behind the boy and, with his left hand, is placing his penis into the boy's anus.

IMAGE	FILENAME	DESCRIPTION
3	1177507889128.jpg	This is a color image of an adult male and a prepubescent boy. The adult male is sitting on what appears to be a chair or sofa. The adult male has dark-colored shorts on and a light-colored shirt with several letters showing on the chest. He also appears to have a tattoo on his left bicep. His penis is out of his shorts and he is holding it with his left hand. The prepubescent boy is standing or kneeling in front of the adult male. The boy has a dark-colored shirt on. The boy is holding the man's penis with his hands and appears to be also licking the male's penis with his tongue.

6. All content downloaded on the above-listed dates was downloaded from defendant HODUKAVICH's "read only" folders that were password-protected. Based on my education, training and experience, this means that defendant HODUKAVICH determined which files could be placed in those folders and controlled the password to provide access to those folders.

7. On January 13, 2015, law enforcement officers executed a search warrant at the Residence. At the Residence, law enforcement discovered various computer equipment belonging to defendant HODUKAVICH, including a Dell Inspiron laptop computer with files indicative of the P2P program. Among the files law enforcement found on the Dell Inspiron laptop computer belonging to defendant HODUKAVICH were images of child pornography, as defined by Title 18, United States Code, Section 2256(8), including material that involved prepubescent minors. The files described in paragraphs 3 and 5 above, which were downloaded from defendant HODUKAVICH on November 20, 2014, and November 21, 2014, also were located on defendant HODUKAVICH's Dell Inspiron laptop computer.

8. Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the images and videos described in paragraphs 3 and 5 above traveled in interstate commerce and were produced using materials that were mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the images were downloaded from the Internet, based upon, among other things, their presence on defendant HODUKAVICH's Dell Inspiron laptop computer and law enforcement's knowledge that defendant HODUKAVICH had shared these images on an internet-based P2P network.